

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – RWS&S Department – Verification of works with reference to award of price adjustment on material / pipes procured in Karimnagar District – Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.) – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 36.

Dated: 17.01.2015

Read:

G.O.Ms.No.7, PR&RD (Vig.I) Dept., dt. 17.01.2015.

ORDER:

In pursuance of the sanction accorded in the reference read above, under sub clause (i) of clause (b) of sub-rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, for instituting departmental proceedings against Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), it is proposed to hold an enquiry against Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II).

3. Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.)
through the Engineer-in-Chief, RWS&S, Hyderabad.

The Engineer-in-Chief, RWS &S, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The General Administration (V&E) Department.

(w.r.t. Vigilance Report No.49 (498/V&E/E2/2010-(Karimnagar), dt. 29.03.2014)

The PR&RD (Estt.I) Department.

SF/SC

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE - I

(Annexure to G.O.Rt.No.36 , PR&RD (Vig.I) Dept., dt. 17.01.2015)

STATEMENT OF ARTICLE OF CHARGES AGAINST SRI O. RAJALINGAM, THE THEN SUPERINTENDING ENGINEER, RWS&S, KARIMNAGAR (RETD.)

CHARGE:-

That Sri O. Rajalingam, the then Superintending Engineer, RWS&S, Karimnagar (Retd.), has committed the following irregularities:-

- 1) Though not competent, he approved the price adjustment calculations without following the G.Os and agreement conditions causing loss of Rs.1,44,88,196/- to the Government exchequer in three works.
- 2) The SE had violated the conditions stipulated in the Agreement and also the G.Os in force, while approving the detailed calculations for Price Adjustment payments instead of obtaining approval from the ENC as per norms.

BASIS:

As per the Vigilance Report No. 49(498/V&E/E2/2010)-Karimnagar, dt.29.03.2014 of G.A. (V&E) Dept., the following findings were found in the verification of works with reference to award of price adjustment on material / pipes procured in the Karimnagar District.

Further, the Superintending Engineer, RWS&S Circle, Karimnagar, though not competent, has approved the following price adjustments.

- i. In work No.1, he had approved the price adjustment and paid an excess amount of Rs.64,40,031/-. In fact the price adjustment works out to price reduction of Rs.62,14,388/-. Hence, an amount Rs.1,26,54,419/- shall be recovered from the contractor.
- ii. In work No.2, he had approved the price adjustment and paid an excess amount of Rs.80,855/- instead of price reduction of Rs.2,37,862/-. Hence an amount of Rs.3,18,718/- (Rs.80,856+Rs.2,37,862) shall be recovered from the Contractor.
- iii. In work No.3, he had approved the price adjustment and paid the price adjustment amount of Rs.33,88,219.41. In fact the price adjustment works out to Rs.18,73,160.60 considering the invoice rate which is lesser. As such an amount of Rs.15,15,059/- shall be recovered from the Contractors.

The SE had violated the conditions stipulated in the Agreement and also the GOs inforce, while approving the detailed calculations for price adjustments payments instead of obtaining approval from the ENC as per norms.

The abstract of recoveries to be effected due to improper price adjustment calculations done by the RWS&S Officers are as tabulated below.

Sl.No.	Name of the Work	Amount to be recovered from the contractors (in Rs.)
1	Providing safe and sustainable Drinking Water Supply to Vemulawada and 6 other Habitations.	1,26,54,419/-
2	Providing Drinking Water Supply to Vemulawada town in Karimnagar District	3,18,718/-
3	CPWSS to Peddapalli a Other habitations in Karimnagar district under SMP.	15,15,059/-
	Total:	1,44,88,196/-

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From this, it is evident that, he has shown Gross Negligence towards his Legitimate Duties and violating Rule (3) of A.P.Civil Services (Conduct) Rules, 1964.

Hence, the charge.

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – II

(Annexure to G.O.Rt.No. 36 , PR&RD (Vig.I) Dept., dt. 17.01.2015)

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI O. RAJALINGAM, THE THEN SUPERINTENDING ENGINEER, RWS&S, KARIMNAGAR (RETD.)

Vigilance, Report No.49 (498/V&E/E2/2010)-Karimnagar, dt.29.03.2014 of
G.A. (V&E) Dept.

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – III

(Annexure to G.O.Rt.No.36 , PR&RD (Vig.I) Dept., dt. 17.01.2015)

LIST OF THE WITNESSES BY WHOM THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI O. RAJALINGAM, THE THEN SUPERINTENDING ENGINEER, RWS&S, KARIMNAGAR (RETD.)

-Nil-

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER